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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,500

12/02/2004

Juan Luis Hancke Orozco

Herbal Powers

4925

22925

7590

07/02/2010

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EXAMINER

RAHMANI, NILOOFAR

ART UNIT

PAPER NUMBER

1625

NOTIFICATION DATE

DELIVERY MODE

07/02/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JUAN LUIS HANCKE OROZCO, and
RAFAEL AGUSTIN BURGOS AGUILERA

Appeal 2009-015020
Application 10/516,500
Technology Center 1600

Before KIMBERLY R. JORDAN, *Division 1 Support Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 9, 2009. A Docketing Notice was mailed on September 17, 2009. Upon review of the application and in view of the November 18, 2009 Petition Decision, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

REPLY BRIEF NOT CONSIDERED

A Reply Brief was timely filed in this application on December 7, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Reply Brief filed December 7, 2009, as indicated above; and
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KRJ/lp

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